

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION**

IN RE:

DAVID MICHAEL MOBLEY

DEBTOR-IN-POSSESSION

§  
§  
§  
§  
§

CASE NO. 22-60004

CHAPTER 11

**DEBTOR-IN-POSSESSION'S EMERGENCY APPLICATION TO APPROVE  
EMPLOYMENT (NUNC PRO TUNC) OF APPRAISER, MICHAEL JONES, OF M.L.  
JONES & ASSOCIATES**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

EMERGENCY RELIEF HAS BEEN REQUESTED. IF THE COURT CONSIDERS THE MOTION ON AN EMERGENCY BASIS, THEN YOU WILL HAVE LESS THAN 21 DAYS TO ANSWER. IF YOU OBJECT TO THE REQUESTED RELIEF OR IF YOU BELIEVE THAT THE EMERGENCY CONSIDERATION IS NOT WARRANTED, YOU SHOULD FILE AN IMMEDIATE RESPONSE.

DATE BY WHICH EMERGENCY RELIEF IS NEEDED: As soon as the Court's schedule allows.

TO THE HONORABLE U.S. BANKRUPTCY JUDGE:

COMES NOW, Debtor-in-Possession, DAVID MICHAEL MOBLEY ("Debtor") and files this Emergency Application to Approve Employment (Nunc Pro Tunc) of Appraiser, Michael Jones, of M.L. Jones & Associates, and in support thereof would show the Court the following:

**APPLICATION TO APPROVE EMPLOYMENT**

1. Debtor filed this Chapter 11 bankruptcy case on January 21, 2022.

2. Debtor is an individual Texas resident whose residence is located at 3815 Montgomery Rd Richmond, TX 77406.

3. Debtor desires to employ Michael Jones of M.L. Jones & Associates, a public appraiser (“Appraiser”) nunc pro tunc.

4. Appraiser’s contact information is as follows:

Mailing Address:  
PO Box 986  
El Campo, TX 77437-2183  
Telephone No.: (979) 877-9504  
Email Address: mljonesre@gmail.com

5. Debtor has selected Appraiser for the reason that Appraiser is a certified appraiser and provides appraisals for real property in the geographical area where Debtor’s real properties are located. Appraiser’s resume is attached hereto as Exhibit A, and incorporated herein for all purposes.

6. The professional services rendered by Appraiser include, but are not limited to:

- a. Provide appraisals for Debtor’s properties.
- b. Other work as necessary to assist completion of the bankruptcy.

7. Debtor desires to employ Appraiser, nunc pro tunc, pursuant to the terms of the Engagement Letters, true and correct copies of which are attached hereto as Exhibit B, and incorporated herein for all purposes.

8. Other persons who are already employed or who are to be employed by the Debtor in the same profession as Appraiser, and an explanation of the reason an additional professional is required are as follows:

None.

9. Appraiser was not paid a retainer. At the time of the filing of this bankruptcy case, Appraiser was not owed anything by the Debtor or any other party in connection with this bankruptcy case.

10. Other than is set forth above, to the best of Debtor's and Appraiser's knowledge, Appraiser has no connection with the Debtor, Creditors, or any other party-in-interest, their respective attorneys, and accountants, the United States Trustee, or any person employed in the office of United States Trustee.

11. Attached hereto as Exhibit C, and incorporated herein for all purposes, is a true and correct copy of the Appraiser as required by FED. R. BANKR. P. 2014.

12. To the best of Debtor's and Appraiser's knowledge, Appraiser has no interest adverse to the Debtor in any of the matters upon which Appraiser is to be engaged, and Appraiser's employment is in the best interest of the Debtor.

13. Debtor had Appraiser appraise his real properties on an emergency basis in order to provide necessary appraisal values on the Debtor's properties in connection with a mediation in this case that occurred on December 1, 2022. Debtor was represented at such mediation by Co-counsel in this case, Stephen W. Sather. Such mediation was successful, and Debtor believes that this will lead to a Plan being confirmed in this case. Late last year, Debtor's attorney had health complications that led to his hospitalization and Debtor's attorney being unable to timely file this Application. Because of the above facts, an Application was not filed within 30 days after the Appraiser commenced providing Appraiser's services. The order authorizing employment is required Nunc Pro Tunc due to the above facts and is proper since the Appraiser has already provided his services. The approval of this Application will not prejudice any parties in interest, and has been beneficial to such parties because the successful mediation, will in all likelihood, lead to a confirmable Plan. Due to the facts set forth above, the Debtor requests that

the Application to Approve the Employment of this Appraiser be approved on a Nunc Pro Tunc basis.

**REQUEST FOR EMERGENCY HEARING**

14. It is requested that this Court grant emergency consideration of this Application because the Appraiser needs to be employed, so that he can be paid for his services he has provided as soon as possible.

15. Accordingly, good cause exists to hear this Application on an emergency basis. Debtor's Attorney certifies an emergency exists by his signature below.

WHEREFORE, Debtor prays that the Court grant this Application, Nunc Pro Tunc, on an emergency basis and for such other and further relief that may be just and proper in the premises.

Dated: January 23, 2023.

Respectfully submitted,

**THE BROWN LAW FIRM**

By: /s/ Jerome A. Brown  
Jerome A. Brown  
State Bar No. 03140000  
13900 Sawyer Ranch Road  
Dripping Springs, TX 78620  
Phone: (512) 306-0092  
Facsimile: (512) 521-0711  
Email: [jerome@brownbankruptcy.com](mailto:jerome@brownbankruptcy.com)  
Attorney for Debtor-in-Possession

**APPROVED:**

By: /s/ Michael Jones  
Michael Jones, Appraiser

**Exhibit "A"****QUALIFICATIONS OF**

**MICHAEL L. JONES**  
**Senior Appraiser/Right-of Way Specialist**

**ML JONES & ASSOCIATES**  
 2414 Hancock  
 El Campo, Texas 77437  
 (979) 877-9504

**FORMAL EDUCATION**

Texas A&M University, College Station, Texas  
 Degree (BBA)  
 Major: English

**CONTINUING EDUCATION**

All current requirements have been completed for state certification.

**LICENSE(S)/CERTIFICATION(S)**

Certified Real Estate Appraiser: State of Texas (No. TX-1327390-G)

**EMPLOYMENT EXPERIENCE**

Twenty-five years of Real Estate Appraisal and Consulting experience throughout the United States

Present	ML Jones & Associates Owner/Appraiser	El Campo, TX
2/17-7/17	Initech Appraisals Senior Appraiser	Houston, Texas
2015-2017	CBRE, Inc. Appraisal Services Senior Appraiser	Houston, Texas
2011-2015	Integra Realty Resources Senior Appraiser	Houston, Texas
1997-2011	ML Jones & Associates Owner/Appraiser	El Campo, Texas
1994-1997	CL McDade & Company Staff Appraiser	Dallas, Texas
1992-1994	Newport Consulting Staff Appraiser	Dallas, Texas
1990-1992	Hill Thompson, Inc. Staff Appraiser	Houston, Texas

**Exhibit "B"**

ML Jones & Associates  
Real Estate Appraisers and Consultants  
PO Box 986  
El Campo, Texas 77437  
(979) 877-9504

October 11, 2022

Mr. Mike Mobley  
3815 Montgomery  
Richmond, TX 77406

Re: Real Estate Appraisal for Mike Mobley  
Located at 480 CR 355, El Campo, Texas

Dear Mr. Mobley,

This letter will serve as a formal engagement for ML Jones & Associates to appraise the aforementioned property. In accordance with your request, the purpose of the appraisal of the above referenced property will be to estimate the **Market Value** of the fee simple interest of the subject property, based upon the underlying assumptions and limiting conditions that will be contained within the report. The report shall be in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP). The fee for these services is \$1,850, ½ due upon commencement and ½ due upon completion. In the event of court testimony, the hourly charge for the the certified appraiser shall be \$175.00.

Delivery of the report will be 3 weeks from engagement, provided the requested data to complete the report is received by the appraiser in a timely manner. Data necessary to complete this report in a timely manner include, but are not limited to; a copy of any purchase contracts, survey, environmental reports, plans and specifications and real estate tax statements.

If these terms are acceptable to you, please execute this document and return by email (mljonesre@gmail.com) at your earliest convenience. I can be reached at (979) 877-9504 to arrange delivery of the fee. We appreciate the opportunity to provide these services to you.

Respectfully submitted,

Michael L. Jones



State Certified General Real Estate Appraiser



Date: 10-12-22

ML Jones & Associates  
Real Estate Appraisers and Consultants  
PO Box 986  
El Campo, Texas 77437  
(979) 877-9504

October 11, 2022

Mr. Mike Mobley  
3815 Montgomery  
Richmond, TX 77406

Re: Real Estate Appraisal for Mike Mobley  
Located at MLK Blvd & Gladys St El Campo, Texas

Dear Mr. Mobley,

This letter will serve as a formal engagement for ML Jones & Associates to appraise the aforementioned property. In accordance with your request, the purpose of the appraisal of the above referenced property will be to estimate the **Market Value** of the fee simple interest of the subject property, based upon the underlying assumptions and limiting conditions that will be contained within the report. The report shall be in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP). The fee for these services is \$2,450, 1/2 due upon commencement and 1/2 due upon completion. In the event of court testimony, the hourly charge for the the certified appraiser shall be \$175.00.

Delivery of the report will be 3 weeks from engagement, provided the requested data to complete the report is received by the appraiser in a timely manner. Data necessary to complete this report in a timely manner include, but are not limited to; a copy of any purchase contracts, survey, environmental reports, plans and specifications and real estate tax statements.

If these terms are acceptable to you, please execute this document and return by email (mljonesre@gmail.com) at your earliest convenience. I can be reached at (979) 877-9504 to arrange delivery of the fee. We appreciate the opportunity to provide these services to you.

Respectfully submitted,

Michael L. Jones



State Certified General Real Estate Appraiser



Date: 10-12-22



ML Jones & Associates  
Real Estate Appraisers and Consultants  
PO Box 986  
El Campo, Texas 77437  
(979) 877-9504

October 11, 2022

Mr. Mike Mobley  
3815 Montgomery  
Richmond, TX 77406

Re: Real Estate Appraisal for Mike Mobley  
77.57 Acres located at La Prada Trace, Fulshear, Texas

Dear Mr. Mobley,

This letter will serve as a formal engagement for ML Jones & Associates to appraise the aforementioned property. In accordance with your request, the purpose of the appraisal of the above referenced property will be to estimate the **Market Value** of the fee simple interest of the subject property, based upon the underlying assumptions and limiting conditions that will be contained within the report. The report shall be in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP). The fee for these services is \$1,250, ½ due upon commencement and ½ due upon completion. In the event of court testimony, the hourly charge for the the certified appraiser shall be \$175.00.

Delivery of the report will be 3 weeks from engagement, provided the requested data to complete the report is received by the appraiser in a timely manner. Data necessary to complete this report in a timely manner include, but are not limited to; a copy of any purchase contracts, survey, environmental reports, plans and specifications and real estate tax statements.

If these terms are acceptable to you, please execute this document and return by email (mljonesre@gmail.com) at your earliest convenience. I can be reached at (979) 877-9504 to arrange delivery of the fee. We appreciate the opportunity to provide these services to you.

Respectfully submitted,

Michael L. Jones



State Certified General Real Estate Appraiser



Date: 10-12-22



**Exhibit "C"**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION**

IN RE:	§	
	§	
DAVID MICHAEL MOBLEY	§	CASE NO. 22-60004
	§	
DEBTOR-IN-POSSESSION	§	CHAPTER 11

**VERIFIED STATEMENT OF APPRAISER, MICHAEL JONES OF M.L. JONES  
& ASSOCIATES**

Michael Jones, being duly sworn, says:

"1. That I am the Appraiser who Debtor-in-Possession herein desires to employ in this bankruptcy case, as is more fully described in the Application to which this verified statement is attached.

2. Other than as set forth in said Application, neither Appraiser, Michael Jones nor M.L. Jones & Associates has any connection with the Debtor, creditors, any other party in interest, their respective attorneys, and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.

3. I declare under penalty of perjury that the foregoing is true and correct.

Further, Affiant sayeth not."

Executed on January 23, 2023.

By: /s/ Michael Jones  
Michael Jones, Appraiser

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was forwarded, via First Class U.S. Mail, postage prepaid, or by electronic mail from the Clerk of the Court on January 23, 2023, to the parties-in-interest entitled to notice set forth on Exhibit 1 attached hereto.

/s/ Jerome A. Brown  
Jerome A. Brown

## Exhibit 1

Label Matrix for local noticing 0541-6 Case 22-60004 Southern District of Texas Victoria Fri Jan 20 13:48:20 CST 2023	First Financial Bank, N.A. P.O. BOX 3679 Abilene, TX 79604-3679	Ford Motor Credit Company LLC Devlin, Naylor & Turbyfill, P.L.L.C. c/o George F. Dunn 5120 Woodway Dr., Ste. 9000 Houston, TX 77056-1725
Fort Bend County Linebarger Goggan Blair & Sampson LLP c/o Jeannie Lee Andresen P.O. Box 3064 Houston, TX 77253-3064	Quality Lease Rental Service, LLC c/o Walter J. Cicack Hawash Cicack & Gaston LLP 3401 Allen Parkway, Suite 200 Houston, TX 77019-1857	Quality Lease Service, LLC c/o Walter J. Cicack Hawash Cicack & Gaston LLP 3401 Allen Parkway, Suite 200 Houston, TX 77019-1857
Quality Lease and Rental Holdings, LLC c/o Walter J. Cicack Hawash Cicack & Gaston LLP 3401 Allen Parkway, Suite 200 Houston, TX 77019-1857	Rocacea, LLC c/o Walter J. Cicack Hawash Cicack & Gaston LLP 3401 Allen Parkway, Suite 200 Houston, TX 77019-1857	Texas Champion Bank c/o Mike Thiltgen P.O. Box 270550 Corpus Christi, TX 78427-0550
Texas Quality Mats, LLC P.O. Box 168 El Campo, TX 77437-0168	Wharton County, Texas c/o Tara LeDay P.O. Box 1269 Round Rock, TX 78680-1269	6 United States Bankruptcy Court PO Box 61010 Houston, TX 77208-1010
AT&T Corp PO Box 5072 Carol Stream, IL 60197-5072	Allan Martin c/o REID, COLLINS, & TSAI LLP 1301 S. Capital of Texas Hwy Building C Austin, TX 78746-6550	Bank of America P.O. Box 15284 Wilmington, DE 19850-5284
Bank of America, N.A. PO Box 673033 Dallas, TX 75267-3033	Enhanced Recovery 8014 Bayberry Rd. Jacksonville, FL 32256-7412	FORD CREDIT PO BOX 650575 Dallas, TX 75265-0575
First Financial Bk Min Po Box 2559 Abilene, TX 79604-2559	First State Bank - Louise Card Service Center PO Box 569120 Dallas, TX 75356-9120	Ford Motor Credit Company, LLC C/o George F. Dunn 5120 Woodway Dr., Suite 9000 Houston, Texas 77056-1725
Fort Bend County c/o Jeannie Lee Andresen Linebarger Goggan Blair & Sampson LLP P.O. Box 3064 Houston, Tx 77253-3064	Fort Bend County c/o John P. Dillman Linebarger Goggan Blair & Sampson LLP P.O. Box 3064 Houston, Tx 77253-3064	Greta Yvette Mobley 1082 County Road 451 El Campo, TX 77437-5593
Independent Bankersbank c/o Creditors Bankruptcy Service P.O. Box 800849 Dallas, TX 75380-0849	Internal Revenue Service Centralized Insolvency Office P. O. Box 7346 Philadelphia, PA 19101-7346	Lincoln Automotive Fin Attn: Bankruptcy PO Box 54200 Omaha, NE 68154-8000
M/G Finance Co., Ltd. c/o John Seth Bullard Orgain, Bell & Tucker, LLP PO Box 1751 Beaumont, TX 77704-1751	MATAGORDA INDEPENDENT SCHOOL DISTRICT 1700 7th Street, Room 203 Bay City TX 77414-5034	MG Finance Co LTD 1655 Louisiana Street Beaumont, TX 77701-1120

People's United Equipment Finance Corp.  
c/o T. Josh Judd  
Andrews Myers, P.C.  
1885 Saint James Place, 15th Floor  
Houston, Texas 77056-4175

Peoples Bank  
5820 82nd Street  
Lubbock, TX 79424-3617

Quality Lease Rental Service, LLC  
c/o REID, COLLINS, & TSAI LLP  
1301 S. Capital of Texas Hwy Building C,  
Austin, TX 78746-6574

Quality Lease Service, LLC  
c/o REID, COLLINS, & TSAI LLP  
1301 S. Capital of Texas Hwy Building C,  
Austin, TX 78746-6574

Quality Lease and Rental Holdings, LLC  
23403B NWzac Lentr Pkwy  
Victoria, TX 77905-0702

Reid, Collins, & Tsai LLP  
ATTN: Lisa S. Tsai  
1301 S. Capital of Texas Hwy Building C  
Austin, TX 78746-6550

Richard E. Borstmayer  
c/o Kyle R. Watson  
Winstead PC  
24 Waterway Ave Suite 500  
The Woodlands, TX 77380-3289

Rocaceia, LLC  
c/o REID, COLLINS, & TSAI LLP  
1301 S. Capital of Texas Hwy Building C,  
Austin, TX 78746-6574

Santander Consumer USA  
Attn: Bankruptcy 10-64-38-PD7 601 Penn  
Reading, PA 19601

Santander Consumer USA, Inc.  
d/b/a Chrysler Capital  
P.O. Box 961275  
Fort Worth, TX 76161-0275

Texas Champion Bank  
P.O. Box 270550  
Corpus Christi, Texas 78427-0550

Texas Champion Bank  
PO Box 2090  
Alice, TX 78333-2090

US Trustee  
Office of the US Trustee  
515 Rusk Ave  
Ste 3516  
Houston, TX 77002-2604

United States Attorney General  
Centralized Insolvency Office  
950 Pennsylvania Avenue NW  
Washington, DC 20530-0009

United States Attorney General  
Internal Revenue Service  
1000 Louisiana St Ste 2300  
Houston, TX 77002-5010

Wharton County  
c/o Julie Anne Parsons  
P.O. Box 1269  
Round Rock, TX. 78680-1269

Wharton County  
c/o Tara LeDay  
P.O. Box 1269  
Round Rock, Texas 78680-1269

Wood, Boykin, & Wolter  
ATTN: Peter E. Avots & Joseph B. Bascum  
615 North Upper Broadway, Suite 1100  
Corpus Christi, TX 78401-0748

David Michael Mobley  
3815 Montgomery Rd  
Richmond, TX 77406

Gregory Raymond Siemankowski  
Barron and Newburger  
7320 North Mopac expwy.  
Ste 400  
78731  
Austin, TX 78731-2338

Janet Northrup, Chapter 7 Trustee  
c/o Heather McIntyre  
1201 Louisiana, 28th Floor  
Houston, TX 77002-5607

Jerome A Brown  
The Brown Law Firm  
13900 Sawyer Ranch Rd  
Dripping Springs, TX 78620-4539

Lisa Mobley  
3815 Montgomery Rd  
Richmond, TX 77406

Melissa A Haselden  
Haselden Farrow PLLC  
Penncoill Place  
700 Milan  
Suite 1300  
Houston, TX 77002-2736

Stephen Wayne Sather  
Barron Newburger, P.C.  
7320 N Mopac Expwy  
Ste 400  
Austin, TX 78731-2347

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)M/G Finance Co., Ltd.

(u)MATAGORDA ISD

(u)People's United Equipment Finance

End of Label Matrix  
Mailable recipients 54  
Bypassed recipients 3  
Total 57